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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, on the date indicated below, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or sent via facsimile to 571-273-8300 on

15 March 2007  
Date  
Daniel B. Schein 5 pages  
Daniel B. Schein, Ph. D., Esq. Reg. No. 33,551

Our Case No.: 11190-10

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Ricardo de Carvalho, M.D.

Serial No.: 10/801,508

Filing Date: March 15, 2004

Title: AN IMPLANTABLE AND SEALABLE  
MEDICAL DEVICE FOR  
UNIDIRECTIONAL DELIVERY OF  
THERAPEUTIC AGENTS TO TISSUES

Examiner: KENNEDY, Sharon E

Group Art Unit No.: 1615

**ADDITIONAL COMMENTS REGARDING FIRST SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

Following transmittal on March 15, 2007 by US Priority mail of documents listed on a Form PTO-1449, it was discovered that the correspondence entitled First Supplemental Information Disclosure Statement and the corresponding Form PTO-1449 may not have been included in the package sent via US Priority

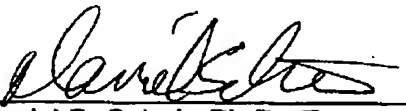
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mail. Therefore, transmitted by facsimile herewith is the First Supplemental Information Disclosure Statement and the corresponding Form PTO-1449.

It is respectfully requested that the Examiner notify the undersigned if the documents listed on the attached Form PTO-1449 and required by 37 C.F.R. § 1.98(a)(2) are not received, and additional copies of the listed documents will be submitted.

Respectfully submitted,

15 March 2007  
DATE

  
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Group Art Unit No.: 1615

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and that the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). Therefore, no fees are believed to be due in connection with filing of this Information Disclosure Statement.

Documents numbered 55-59 and 64-66 are newly listed. Documents 62 and 63 correspond to Documents 30 and 39, respectively, which were submitted on March 15, 2004 with a prior Information Disclosure Statement. In an abundance of caution Document 62 is resubmitted as a subsequent review of the copy in the file showed that three pages were missing. Document 63 is resubmitted as the prior listing did not include the page numbers of the journal from which the document was obtained.

Respectfully submitted,

15 March 2007

DATE

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FORM PTO-1449	SERIAL NO. 10/801,508	CASE NO. 11190-10
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE March 15, 2004	GROUP ART UNIT
APPLICANT(S): Carvalho et al.		

## PUBLISHED U.S. PATENT APPLICATIONS

EXAMINER INITIAL	DOCUMENT NUMBER	PUB. DATE	NAME	FILING DATE
	55	20040230183 A1	November 18, 2004	Breegi, et al.
				February 18, 2004

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	56	WO 2004/073551 A2	2 September 2004	PCT	
	57	WO 2004/073551 A3 International Search Report	2 September 2004	PCT	
	58	WO 2004/073551 A2 Written Opinion of Patentability for PCT/US2004/004625	19 August 2005	PCT	
	59	WO 03/020172 A1	13 March 2003	PCT	
	60	WO 01/28472	26 April 2001	PCT	
	61	CA 2,399,057	23 August 2001	Canada	

## OTHER ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.				
	62	Valtonen, Simo., et al., "Interstitial Chemotherapy with Carmustine-loaded Polymers for Highgrade Gliomas: A Randomized Double-blind Study Clinical Study, <i>Neurosurgery</i> , Vol. 41, No. 1, pages 44-52 (1997)			
	63	D'Hermies, Francois., et al., "Encapsulation of Scleral Buckling Materials", <i>Ophthalmology</i> , Vol. 105, NO.6. pages 1079-1087 (1998)			
	64	Sayani, A. et al., "Systemic Delivery of Peptides and Proteins Across Absorptive Mucosae", <i>Therapeutic Reviews™ In Therapeutic Drug Carrier Systems</i> . 13(1&2): 84-185 (1996)			
	65	Robinson, Michael R. et al., "A rabbit model for assessing the ocular barriers to the transscleral delivery of triamcinolone acetate", <i>Elsevier Ltd.</i> , pages 1-9 (2005)			
	66	Pontes de Carvalho, Ricardo A. et al., "Delivery from Episcleral Explants", <i>Invest Ophthalmol. Vis. Sci.</i> 2006; 47: 4532-4539 (2006)			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Rev. Dec.-99

Macintosh HD:Users:Paralegal:Schein Work:11190:Supplemental IDS for 11190-10 PTO1449#1.doc